

Bar Council of India
All India Bar Examination – V
25th August, 2013

[Set Code – A]
LANGUAGE – ENGLISH

1677

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| Name of the Candidate: | |
| Roll Number: | |
| Enrollment Number : | |

IMPORTANT INSTRUCTIONS

(Kindly read these instructions carefully before attempting this question paper)

- This Booklet contains 100 questions and each question carries 1 mark.
- There is **no negative** marking.
- Duration of this exam is **3 hours** only.
- Only books and notes are allowed for this examination.
- Mobile phones, laptop, tabs and/or any other electronic devices are strictly prohibited in the examination hall.
- On possession of any electronic device inside the examination hall, the candidate will be disqualified from the examination.
- Candidate shall not be allowed to leave the Examination Hall before the conclusion of the examination.
- Do not forget to submit the question paper and the answer sheet back to the invigilator. Failing to do so would lead to **disqualification**.
- Candidate should not remove any page(S) from the booklet and if any page(s) is found missing from his/her booklet would lead to disqualification.
- Use only **blue/black ball pen** to fill the OMR answer sheet.
- OMR filled with **pencil or ink pen** would be **disqualified**.
- Use of **whitener/ eraser /blade or fluid** is strictly **prohibited**. It will lead to **disqualification**.
- Do not make any **stray marks or tear the OMR answer sheet**. It will lead to **disqualification**.
- Write your roll number carefully and darken the correct corresponding ovals. In case wrong ovals are darkened your answer sheet **will not be evaluated**.
- Candidate must follow the instructions strictly as mentioned on the answer sheet.

Signature of the Candidate

1. -----is the process whereby interested parties resolve disputes, agree upon courses of action, bargain for individual or collective advantage, and/or attempt to craft outcomes which serve their mutual interests
 - A) Expert determination
 - B) Arbitration
 - C) Conciliation
 - D) Negotiation
2. "The fundamental aim of Legal Ethics is to maintain the honour and dignity of the Law Profession, to secure a spirit of friendly co-operation between the Bench and the Bar in the promotion of highest standards of justice, to establish honourable and fair dealings of the counsel with his client opponent and witnesses; to establish a spirit of brotherhood in the Bar itself; and to secure that lawyers discharge their responsibilities to the community generally." Whose statement is this?
 - A) Chief Justice Marshall
 - B) Chief Justice Coke
 - C) Chief Justice Halsbury
 - D) Chief Justice Bacon
3. The Supreme Court has held that an advocate cannot claim a lien over a litigation file entrusted to him for his fees..... no professional can be given the right to withhold the returnable records relating to the work done by him with his clients matter on the strength of any claim for unpaid remuneration. The alternative is the professional concerned can resort to other legal remedies for such unpaid remuneration. Refer to the specific case
 - A) R.D. Saxena Vs. Balam Prasad Sharma
 - B) V.C. Rangadurai Vs. D. Gopalan
 - C) Emperor Vs. Dadu Ram
 - D) G. Naranswamy Vs. Challapalli
4. Duty of an advocate towards his client is detailed out in which rules of Bar Council of India
 - A) 33 to 38
 - B) 11 to 33
 - C) 23 to 27
 - D) 33 to 36
5. Which Section under the Advocates Act, 1961 deals with disqualification as to enrolment?
 - A) S.25A
 - B) S.26A
 - C) S.27A
 - D) S.24A
6. Existence of two suits, by parties litigating under same title, one previously instituted which is pending at present and the other filed later, wherein a matter in issue in the subsequently filed suit is directly and substantially in issue in the other and the relief claimed in the subsequent suit can effectively be passed by the court of previous instance. Which section of CPC decides the fate of the subsequently filed suit and its proceeding?
 - A) S.11
 - B) S.9
 - C) S.10
 - D) S.12
7. Where there are mutual debts between the plaintiff and the defendant, one debt may be settled against another. This can be a statutory defence to a plaintiff's action and it is called as
 - A) cross-claim

- B) set-off
C) cross-demands
D) cross-decrees
8. An attachment before judgment order takes away
- A) right to ownership
B) right to file suit
C) power to alienate the property
D) capacity of execution of a decree
9. The three pillars on which foundation of every order of injunction rests
- A) prima facie case, injury with damage and balance of inconvenience
B) prima facie case, reparable injury and balance of convenience
C) prima facie case, irreparable injury and balance of convenience
D) prima facie case, damage without injury and balance of convenience
10. ----- is to enable subordinate courts to obtain in non-appealable cases the opinion of the High Court in the absence of a question of law and thereby avoid the commission of an error which could not be remedied later on.
- A) Review
B) Reference
C) Appeal
D) Revision
11. Who decides as to which of the several modes he/she will execute the decree
- A) Plaintiff
B) Court
C) Judgment debtor
D) Decree holder
12. Where a party to a suit requires information as to facts from the opposite party, he may administer to his adversary a series of questions. It is called as
- A) Question petition
B) Question pamphlet
C) Interrogatories
D) Discovery
13. ----- is a suit filed by or against one or more persons on behalf of themselves and others having the same interest in the suit.
- A) Joint suit
B) Representative suit
C) Collusive suit
D) Collective suit.
14. A person appointed by the court to protect, preserve and manage the property during the pendency of the litigation
- A) Amicus curiae
B) Preserver
C) Protector
D) Receiver
15. The provision under CPC that relates to suit by indigent persons
- A) O.32
B) O.34
C) O.35
D) O.33
16. S.5 of the Limitation Act, 1963 enables the court to condone delay in filing ----- on sufficient satisfaction of sufficient cause.
- A) appeal or application
B) appeal, suit and application
C) appeal, petition and counter petition

- D) appeal, petition, suit, and counter petition
17. Limitation period prescribed in filing a suit by a mortgagor to recover possession of immoveable property mortgaged
- 20 years
 - 12 years
 - 10 years
 - 30 years
18. Which are the provisions under Indian Evidence Act, 1872 that deals with relevancy of opinion of experts
- Ss.49&50
 - Ss.23&24
 - Ss. 45&46
 - Ss.81 & 82
19. The contents of documents may be proved either by
- Primary evidence or by secondary evidence
 - Direct evidence or circumstantial evidence
 - Primary evidence or documentary evidence
 - Primary evidence or direct evidence
20. Oral accounts of the contents of a document given by some person who has himself seen it is
- Direct evidence
 - Circumstantial evidence
 - Best evidence
 - Secondary evidence
21. "The DNA test cannot rebut the conclusive presumption envisaged under S.12 of the Indian Evidence Act. The parties can avoid the rigor of such conclusive presumption only by proving non- access which is a negative proof." It was so held in which case
- ShaikFakruddin v. Shaik Mohammed Hasan AIR 2006 AP 48
 - Siddaramesh v. State of Karnataka(2010) 3SCC 152
 - Kailash v. State of Madhya Pradesh AIR 2007SC107
 - Somwanti v. State of Punjab, AIR 1963 SC 151
22. The statements of dead persons are relevant under which provision
- S.48
 - S.49
 - S.32 (4)
 - S.13 (a)
23. "Witnesses are the eyes and ears of Justice". Whose statement is this
- Lord Atkin
 - Bentham
 - Lord Denning
 - Phipson
24. An accomplice is unworthy of credit unless he is corroborated in material particulars is a
- presumption of fact
 - presumption of law
 - conclusive proof
 - none of the above
25. Patent ambiguity in interpreting documents renders it
- Curable
 - In-curable
 - Curable and incurable
 - none of the above

26. Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc. and doing acts prejudicial to maintenance of harmony is an offence under which provision of Indian Penal code

- A) S.120A
- B) S.120B
- C) S.153A
- D) S.226

27. The gist of this offence is meeting of minds

- A) S.120A
- B) S.133
- C) S.221
- D) S.340

28. A places men with firearms at the outlets of a building and tells B that they will fire at B if B attempts to leave the building. What is the offence committed by A as against B

- A) Wrongful restraint
- B) Wrongful confinement
- C) Refusal to leave the place
- D) None of the above

29. Adulteration of food or drink intended for sale is punishable under

- A) S.227
- B) S.272
- C) S.277
- D) S.273

30. Voluntarily causing grievous hurt to deter public servant from his duty is

- A) Cognisable & non-bailable offence
- B) Non cognisable & bailable offence
- C) Cognisable and bailable offence

D) None of the above

31. A obtains property from Z by saying- "Your child is in the hands of my gang and will be put to death unless you send us Rs.10,000/-." This offence is

- A) Robbery
- B) Extortion
- C) Dacoity
- D) None of the above

32. Which provision under Criminal procedure Code, 1973 deals with the procedure to be adopted by the Magistrate to record confessions and statements?

- A) S.164
- B) S.162
- C) S.163
- D) S.164 A

33. Any police officer may without an order from a Magistrate and without a warrant, arrest any person who obstructs a police officer while in the execution of his duty, or who has escaped, or attempts to escape, from lawful custody under which section

- A) S.41 (a)
- B) S.41 (c)
- C) S.41 (e)
- D) S.41 (d)

34. The Plea Bargaining is applicable only in respect of those offences for which punishment of imprisonment is up to a period of

- A) 7 years
- B) 2 years
- C) 10 years
- D) 5 years

35. Which provision under the Code provides the indication as to the rule against double jeopardy?

- A) S.300
- B) S.305
- C) S.309
- D) S.311

36. "If an accused is charged of a major offence but is not found guilty thereunder, he can be convicted of minor offence, if the facts established indicate that such minor offence has been committed." It was so upheld in which case

- A) Sangarabonia Sreenu vs. State of Andhra Pradesh
- B) State of Himachal Pradesh vs. Tara Dutta
- C) Shamsher Singh vs. State of Punjab
- D) Nalini vs. State of Tamilnadu

37. "Provisions of S.195 of the Code are mandatory and non-compliance of it would initiate the prosecution and all other consequential orders". In which case the court upheld so

- A) C. Muniappan v. State of Tamilnadu
- B) Kishun Singh v. State of Bihar
- C) State of Karnataka v. Pastor P. Raju
- D) None of the above

38. Order granting anticipatory bail becomes operative becomes operative

- A) on arrest
- B) on passing of the order by the court
- C) prior to arrest
- D) none of the above

39. A contract made by a trustee in excess of his powers or in breach of trust cannot be specifically enforced as per

- A) S.12
- B) S.11(2)
- C) S.12(2)
- D) S.13

40. Under S.41 of the Specific Relief Act, an injunction cannot be granted

- A) to restrain any person from instituting or prosecuting any proceeding in a court not subordinate to that from which the injunction is sought;
- B) to restrain any person from applying to any legislative body;
- C) to restrain any person from instituting or prosecuting any proceeding in a criminal matter
- D) all of the above

41. Specific relief can be granted only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law. Which provision brings in such prohibition?

- A) S.4
- B) S.5
- C) S.7
- D) S.10

42. It was held by the Supreme Court of India that preamble was not a part of the constitution in the case of ----- and this has been overruled in the case of -----

- A) *In re Berubari Union; Keshavananda Bharathi vs. State of Kerala*
- B) *A. K. Gopalan vs. State of Madras; Maneka Gandhi vs. Union of India*

- C) *Ajay Hasia vs. Khalid Mujib; Som Prakash vs. Union of India*
 D) *I.C. Golaknath vs. State of Punjab ; Shankari Prasad vs. Union of India*
43. By the Constitution (97th Amendment) Act, 2011 the following word has been inserted under Art. 19(1) (c)
- A) Democratic Societies
 B) Registered Societies
 C) Cooperative societies
 D) Cooperative managements
44. Doctrine of Legitimate Expectation was discussed in the following case
- A) Ramakrishna Dalmia Vs. Justice Tendolkar
 B) M.C. Mehta Vs. Union of India
 C) State of U.P Vs. Deoman
 D) Food Corporation of India Vs. M/s. Kamdhenu Cattle Feed Industries
45. The Supreme Court in *Selvi & Ors. vs State of Karnataka* held that compulsory brain-mapping and polygraph tests and narco-analysis were in violation of the following Articles of the Constitution.
- A) Art. 23 and 24
 B) Art. 15 and 16
 C) Art. 29 and 30
 D) Articles 20 and 21
46. "Passive Euthanasia is permitted in certain cases" - held in
- A) *Aruna Ramachandra Shanbaug Vs. Union of India*
 B) *GianKaur Vs. State of Punjab*
 C) *P. Rathinam Vs. Union of India*
 D) *State of Maharashtra Vs. Chandraben*
47. Delivery of goods by one person to another for some purpose upon a contract that they shall, when the purpose is accomplished, be returned or disposed of according to the directions of the person delivering them. What is this type of contract called as
- A) Indemnity
 B) Guarantee
 C) Bailment
 D) Pledge
48. The essence of a contract of agency is the agent's
- A) Representative capacity coupled with a power to affect the legal relations of the principal with third persons.
 B) Power and title to the property that is being dealt with
 C) Authority and status of dealing with the trade
 D) None of the above
49. "A Contract is an agreement between two or more persons which is intended to be enforceable at law and is contracted by the acceptance by one party of an offer made to him by the other party to do or abstain from doing some act." - Whose statement is this?
- A) Halsbury
 B) Salmond
 C) Phipson
 D) Pollock
50. A's nephew has absconded from his home. He sent his servant to trace his missing nephew. When the servant had left, A then announced that anybody who discovered the missing boy, would be given the reward of Rs.500. The servant discovered the missing boy without knowing the reward. When the servant came to know about the reward, he brought an action against A to recover the same. But his action failed. It was held that the servant was not entitled to the reward because he did not know about the offer when he discovered the missing boy. Name the case on reading the facts

- A) Lalman Shukla v. Gauri Dutt
B) Donogue v. Stevenson
C) Tweedle v. Atkinson
D) Dutton v. Poole
51. A debtor owes several distinct debts to the same creditor and he makes a payment which is insufficient to satisfy all the debts. In such a case, a question arises as to which particular debt the payment is to be appropriated. Which sections of the Contract Act provide an answer to this question?
- A) Section 59 to 61
B) Section 22 of 31
C) Section 10 to 12
D) Section 55 to 60
52. What property cannot be transferred under S.6 of Transfer of Property Act, 1882
- A) An easement apart from the dominant heritage
B) An interest in property restricted in its enjoyment to the owner personally
C) A right to future maintenance, in whatsoever manner arising, secured or determined.
D) All of the above
53. A transfers property of which he is the owner to B in trust for A and his intended wife successively for their lives, and, after the death of the survivor, for the eldest son of the intended marriage for life, and after his death for A's second son. Can the interest so created for the benefit of the eldest son take effect?
- A) Yes
B) No
C) It is a valid transfer
D) None of the above
54. The commencement of arbitral proceedings is not dependant on interim relief being allowed or denied under S.9 of the Arbitration and Conciliation Act, 1996. Supreme Court in which case held so
- A) Firm Ashok Traders & another v. Gurumukh Das Saluja & others
B) M.M.T.C Ltd. v. Sterile Industries (India) Ltd.
C) National Thermal Power Corporation v. Flowmore (P.) Ltd.
D) Magma Leasing Ltd. v. NEPC Micon Ltd.
55. Which provision of Hindu Marriage Act, 1955 deals with conciliation
- A) S.23
B) S.23(2)
C) S.23(3)
D) S.22
56. Which section under the Civil Procedure Code, 1908 deals with the settlement of disputes outside the court
- A) S.98
B) S.99
C) S.89
D) S.88
57. *Equal pay for Equal work*—can be enforced through
- A) Art.39
B) Art 14 and 16
C) Art.311
D) Art.309
58. The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws—mentioned under

- A) Art.352
- B) Art.256
- C) Art.254
- D) Art.301

59. Justice Ramanandan Committee relates to

- A) Union State relations
- B) Creamy layer
- C) Finance Commission
- D) Elections

60. Original Jurisdiction of the Supreme Court is dealt under

- A) Art.226
- B) Art.130
- C) Art.131
- D) Art.124

61. Laws declared by the Supreme court shall be binding on all courts – mentioned under

- A) Art.142
- B) Art.143
- C) Art.136
- D) Art.141

62. According to the theory of 'social utilitarianism' as propounded by Ihering

- A) greatest number of people should get greatest pleasure
- B) the essential body of legal rules is always based upon the social "facts" of law
- C) a balance is to be struck between the competing interests in society
- D) law is a means to social ends

63. *Obstructing Public Servant* in discharge of his public functions is a

- A) nonbailable offence
- B) bailable offence
- C) civil wrong
- D) none of the above

64. Compensation to Victims of Crime under Criminal Law relates to

- A) S.336
- B) S.331
- C) S.335
- D) S.357

65. What persons may be charged jointly and tried together under S.223 of Cr.PC

- A) persons accused of the same offence committed in the course of the same transaction
- B) persons accused of an offence and persons accused of abetment of or attempt to commit such offence
- C) persons accused of different offences committed in the course of the same transaction
- D) all the above.

66. "Contravention of contract labour Act would not create employment relationship between contract labour and principal establishment." It was so held in which case

- A) SAIL vs. National Union Water front Workers
- B) *Air India Statutory Corporation vs. United Labour Union & Ors*
- C) Bangalore Water Supply and Sewerage Board vs. A.Rajappa
- D) State of U.P vs. Jai Bir Singh

67. The Principal regulator envisaged under the Trade Unions Act, 1926

- A) Regulator of trade unions
- B) Inspector of trade unions
- C) Registrar of trade unions
- D) Industrial relations committee

68. A teacher is not a workman falling under the category of *Workman* under Industrial Disputes Act, 1947. This was upheld in which case

- A) Miss A. Sundarambal v. Government Of Goa, Daman And Diu & others
- B) Ahmedabad Pvt. Primary Teachers' Association v. Administrative Officer And Ors
- C) University of Delhi v. Ramnath
- D) Secretary, Madras Gymkhana Club Employees Union v. Management Of The Gymkhana

69. The type of disablement envisaged under the Employees Compensation Act that reduces the capacity to work in any employment similar to that the worker was performing at the time of the accident is referred to as

- A) Permanent partial disablement
- B) Permanent total disablement
- C) Temporary disablement
- D) Temporary total disablement

70. The contribution payable under the ESI Act in respect of an employee shall comprise of

- A) contribution payable by the employer only
- B) contribution payable by the employee only
- C) contribution payable by government only
- D) contribution payable by employer and employee

71. Which provision under the Industrial Disputes Act, 1947 guarantees the right of workmen laid off to claim for compensation

- A) S.25-O

- B) S.26
- C) S.25-C
- D) S.25-M

72. Natural law is the idea that

- A) there are rational objective limits to the power of legislative rulers.
- B) there are no limits to the power of legislative rulers.
- C) there are limits to the power of the executive laid by the legislature.
- D) Law is the command of the sovereign

73. H. L. A. Hart's name is associated with the book

- A) Province and Function of law
- B) The Concept of Law
- C) Social Dimensions of law
- D) Theories of Social Change

74. Section 9 of the Hindu Marriage Act, 1955 deals with

- A) Restitution of Conjugal Rights
- B) Void Marriages
- C) Judicial Separation
- D) Grounds of Divorce

75. Daughter is equated with the son with reference to joint family property under

- A) Hindu Succession Amendment Act 2002
- B) Hindu Succession Amendment Act 1976
- C) Hindu Succession Amendment Act 1978
- D) Hindu Succession Amendment Act 2005

76. *Mubara'at* under Muslim law refers to

- A) Divorce at the instance of Wife
- B) Cruelty
- C) Dissolution of marriage with mutual consent
- D) *Ila*

77. The discriminatory aspects of S-10 of Indian Divorce Act (now Divorce Act) was removed by substituting new section by the

- A) Indian Divorce Amendment Act of 2001
 B) Divorce Amendment Act of 2002
 C) Indian Divorce Amendment Act of 2006
 D) Indian Divorce Amendment Act of 2012
78. Trading activities of a company were stopped temporarily in view of the trade depression with an intention to continue the same when the conditions improve. A petition was preferred into the tribunal for winding up of the company. The petition
- A) is liable to be dismissed.
 B) will succeed.
 C) will be kept pending till the conditions improve.
 D) will not be admitted.
79. Amalgamation of Companies in National Interest is dealt under
- A) Section 388 of the Companies Act
 B) Section 378 of the Companies Act
 C) Section 396 of the Companies Act
 D) Section 390 of the Companies Act
80. Under Section 171 of the Companies Act, a general meeting of a company may be called by giving a notice in writing for not less than -----
- A) 21 days
 B) 30 days
 C) 40 days
 D) 14 days
81. A private limited company limits the number of members to
- A) 30
 B) 50
 C) 40
 D) 150
82. Contributory negligence means
- A) The failure by a person to use reasonable care for the safety of either of himself or his property
 B) Volunteer to pay for the negligence of others
 C) Contributing the money or money's worth for others wrongs
 D) Inciting others to commit civil wrong.
83. Where an enterprise is engaged in a hazardous or inherently dangerous activity and harm results to anyone on account of an accident in the operation of such hazardous or inherently dangerous activity resulting, for example, in escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate vis-a-vis the tortious principle of strict liability. – Held in the case of
- A) Francis Caroli Vs. state
 B) Shriram food and Fertilisers case
 C) PUCL Vs. Union of India
 D) State of Punjab Vs. Mahinder Singh Chawla
84. "A tort is a civil wrong for which the remedy is an action for unliquidated damages and which is not exclusively the breach of a contract, or the breach of a trust, or the breach of other merely equitable obligation" – Whose Statement is this
- A) Winfield
 B) Salmond
 C) Polliock
 D) Griffith
85. Under section 20 of the M.V. Act If a person is convicted of an offence punishable under section 189 of the Motor Vehicles Act, the court shall ordinarily order for
- A) Imposing penalty only
 B) Punishment only
 C) Both punishment and penalty
 D) Disqualification under the Act.
86. Consumer Protection Act was brought into operation in the year

- A) 1987
B) 1986
C) 1985
D) 1984
87. Under Consumer Protection Act, the jurisdiction of the District Forum should not exceed rupees
- A) Fifty Thousands
B) Twenty Five Thousands
C) One lakh
D) Twenty lakhs
88. The Second principle of Rule of Law (of A.V. Dicey) relates to
- A) Equal protection of the laws
B) Equality before law
C) Dignity of the individual
D) Administrative Courts
89. If a Quasi-judicial authority violates the principles of natural justice, the appropriate writ would be
- A) Mandamus
B) Habeas Corpus
C) Quo warranto
D) Certiorari
90. A seven member bench of the Supreme Court unanimously struck down clauses 2(d) of Art.323 A and Clause 3(d) of Art 323B of the Constitution relating to tribunals which excluded the jurisdiction of High Court and Supreme Court. The court held that power of judicial review over legislative action is vested in the High Court under Art.226 and in the Supreme Court under Art.32. This is an integral part of the basic structure of the constitution. Name the case
- A) *L. Chandra Kumar vs. Union of India*
B) *Kihota Hollohon vs. Zachilhu*
C) *Nagaraj vs. State of A.P.*
D) *Rajendra Singh Rana vs. Swami Prasad Maurya*
91. Accepting any other satisfaction than the performance originally agreed is known as
- A) reciprocal agreement
B) reciprocal acceptance
C) reciprocal accord and satisfaction
D) accord and satisfaction
92. "Where two parties have made a contract which one of them has broken the damage which the other party ought to receive in respect of such breach of contract should be either such as may fairly and reasonably be considered arising naturally i.e. according to the usual course of things from such breach of contract itself or such as may reasonably be supposed to have been in the contemplation of the parties at the time they made the contract as the probable result of breach of it." In which case the principle was down so:
- A) *Clegg v. Hands*
B) *Kapur Chand v. Himayat Ali khan*
C) *Frost v.Knight*
D) *Hadley v.Baxendale*
93. When a misrepresentation has been made, what are the alternative courses open to an aggrieved
- A) He can avoid or rescind the contract
B) He can affirm the contract and insist on the misrepresentation being made
C) He can rely on upon the misrepresentation, as a defence to an action on the contract
D) All of the above
94. A solicitor sold certain property to one of his clients. The client subsequently alleged that the property was considerably overvalued and his consent was caused by-----.

Court considered the relationship between the parties to reach the decision.

- A) Coercion
- B) Misrepresentation
- C) Undue influence
- D) Estoppel

95. "The law of contract is intended to ensure that what a man has been led to expect shall come to pass, that what has been promised shall be performed". Whose statement is this?

- A) Lord Black
- B) Henderson
- C) Anson
- D) Salmond

96. Intention not to create a legal obligation was clear from the conduct of parties which among the popular cases deals on the topic.

- A) Balfour v. Balfour
- B) Donogue v. Stevenson
- C) Derry v. Peek
- D) Birch v. Birch

97. According to the Indian law in a lawful contract, consideration

- A) Must move from promisee only
- B) May move from promisee or any other person
- C) is not necessary at all
- D) None of the above

98. Raghav owes Murli Rs.10,000/-. This debt is time barred by the limitation Act. Even then Murli, promises in writing to pay Raghav R. 4,500/- on account of debt and signs the document. This contract is

- A) Enforceable

- B) Unenforceable
- C) Void
- D) None of the above

99. An agency can be terminated by

- A) Agreement between parties
- B) By renunciation by the agent
- C) By completion of business of agency
- D) All the above

100. Which type of loss are not covered by a contract of indemnity

- A) Loss arising from accidents like fire or perils of the sea
- B) Loss caused by the promisor himself or by a third person
- C) Loss arising by human agency
- D) None of the above

AIBE_5 Set Code A

| Q.No | Answer | Q.No | Answer | Q.No | Answer |
|------|--------|------|--------|------|--------|
| 1 | D | 41 | A | 81 | B |
| 2 | A | 42 | A | 82 | A |
| 3 | A | 43 | C | 83 | B |
| 4 | B | 44 | D | 84 | B |
| 5 | D | 45 | D | 85 | D |
| 6 | B | 46 | A | 86 | B |
| 7 | B | 47 | C | 87 | D |
| 8 | C | 48 | A | 88 | B |
| 9 | C | 49 | A | 89 | D |
| 10 | B | 50 | A | 90 | A |
| 11 | D | 51 | A | 91 | D |
| 12 | C | 52 | D | 92 | D |
| 13 | B | 53 | B | 93 | D |
| 14 | D | 54 | A | 94 | C |
| 15 | D | 55 | B | 95 | C |
| 16 | A | 56 | C | 96 | A |
| 17 | D | 57 | B | 97 | B |
| 18 | C | 58 | B | 98 | A |
| 19 | A | 59 | B | 99 | D |
| 20 | D | 60 | C | 100 | A |
| 21 | A | 61 | D | | |
| 22 | C | 62 | D | | |
| 23 | B | 63 | B | | |
| 24 | A | 64 | D | | |
| 25 | B | 65 | D | | |
| 26 | C | 66 | A | | |
| 27 | A | 67 | C | | |
| 28 | B | 68 | A | | |
| 29 | B | 69 | A | | |
| 30 | A | 70 | D | | |
| 31 | B | 71 | C | | |
| 32 | A | 72 | A | | |
| 33 | C | 73 | B | | |
| 34 | A | 74 | A | | |
| 35 | A | 75 | D | | |
| 36 | B | 76 | C | | |
| 37 | A | 77 | A | | |
| 38 | A | 78 | A | | |
| 39 | B | 79 | C | | |
| 40 | D | 80 | A | | |